

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ADALBERTO SOLIS,

Plaintiff,

v.

FRESNO COUNTY SHERIFF'S
DEPARTMENT, et al.,

Defendants.

Case No. 1:20-cv-00048-AWI-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(DOC NOS. 12 & 14)

Adalberto Solis ("Plaintiff") is a pre-trial detainee proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 22, 2020, Magistrate Judge Erica P. Grosjean entered findings and recommendations, recommending that "[t]his case proceed on Plaintiff's Fourteenth Amendment failure to protect claim against Officer Portillo," and that "[a]ll other claims and defendants be dismissed." (ECF No. 14, p. 8).

Plaintiff was provided an opportunity to file objections to the findings and recommendations. Plaintiff filed his objections on October 19, 2020. (ECF No. 15).

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and proper analysis.

Accordingly, THE COURT HEREBY ORDERS that:

1. The findings and recommendations issued by the magistrate judge on September 22, 2020, (Doc. No. 14) are ADOPTED in full;
2. This case proceeds on Plaintiff's Fourteenth Amendment failure to protect claim against Officer Portillo;
3. All other claims and defendants are dismissed;¹
4. The Clerk of Court is directed to reflect the dismissal of defendants Fresno County Sheriff's Department and Cuevas on the Court's docket; and
5. This case is referred back to the magistrate judge for further proceedings.

IT IS SO ORDERED.

Dated: December 4, 2020



SENIOR DISTRICT JUDGE

¹ The dismissal does not necessarily prevent Plaintiff from moving to amend his complaint at a later time in the process and in accordance with any scheduling orders that may be entered.